

### **REMARKS/ARGUMENTS**

The election/restriction requirement dated May 20, 2010 has been considered. Invention I is hereby elected without traverse. Claims 25 and 49-58 are indicated in the election/restriction requirement to be drawn to Invention I.

Furthermore, claims 35 and 59-65 are now drawn to Invention I as amended. This follows because the Interview Summary mailed with the election/restriction requirement states "The examiner indicated that, should the device claim be broadened to indicate that the 'discriminating' step can be performed by either the IMD or the programmer, or the method claim limited to indicate that the 'discriminating' step can be performed only by the IMD, all claims will be examined." The independent method claim 35 has been amended in this manner. As such, the examination of all claims is respectfully requested.

The Examiner is invited to contact the undersigned to discuss any issues related to this application.

Respectfully submitted,  
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